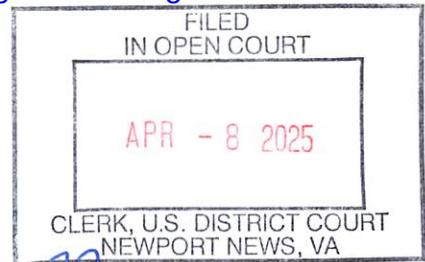


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division



IN RE: ISAIAH LUKE HOOD,) CASE NUMBER 4:25cr 22
a/k/a "Bristol")
a/k/a "Wyatt") UNDER SEAL
a/k/a "Levi",)
GRAND JURY PROCEEDINGS)
)

MOTION TO SEAL INDICTMENT

The United States of America, by and through its attorneys, Erik S. Siebert, United States Attorney for the Eastern District of Virginia, and Devon E.A. Heath, Assistant United States Attorney, pursuant to Local Criminal Rule 49(B) moves to seal the indictment and arrest warrant in this case.

Sealing is necessary to avoid notification of the existence of the arrest warrant which could result in flight from prosecution, the destruction of or tampering with evidence, the intimidation of potential witnesses, jeopardize the safety of the arresting officers or otherwise jeopardize the investigation. Another procedure will not adequately protect the needs of law enforcement at this time.

Such sealing is within the discretion of this Court and may be granted "for any legitimate prosecutorial need." *United States v. Ramey*, 791 F.2d 317, 321 (4th Cir. 1986); *see also*, *Baltimore Sun Co. v. Goetz*, 886 F.2d 60, 65 (4th Cir. 1989). Concerns exist that public notice of the indictment may result in the notification of co-conspirators under investigation and possible flight of the defendant or other unknown subjects who have conspired with the defendant. It is permissible to seal indictments and arrest warrants to effectuate the apprehension and arrest of a fugitive defendant. *See United States v. Hayes*, 40 F.3d 362, 365 (11th Cir. 1994).

The United States requests that the indictment and arrest warrant remain under seal until the arrest of either defendant, at which time the indictment may be treated as a matter of public record. The United States further requests that: certified copies of the indictment be distributed to law enforcement agencies for the purposes of effecting the arrest of the defendant.

Respectfully submitted,

ERIK S. SIEBERT
UNITED STATES ATTORNEY



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